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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

*Petitioner,*

v.

MWW GROUP LLC d/b/a  
MIKEWORLDWIDE,

*Respondent.*

Civil Action No. 23-20757

**PETITION FOR SUMMARY ENFORCEMENT OF  
CIVIL INVESTIGATIVE DEMAND**

The United States of America, by and through Vikas Khanna, Attorney for the United States (Assistant U.S. Attorney David V. Simunovich, appearing) petitions this Court for summary enforcement of Civil Investigative Demand No. NJ-2023-020 (hereinafter, the “CID”), issued to the Respondent MWW Group LLC d/b/a Mikeworldwide (hereinafter, “MWW”). In support thereof, the United States alleges as follows:

1. The United States brings this proceeding pursuant to 31 U.S.C. § 3733(j)(1).

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<sup>1</sup> Acting pursuant to authority conferred by 28 U.S.C. § 515.

2. This Court has subject matter jurisdiction to enforce the CID under 28 U.S.C. §§ 1331 and 1345.

3. Venue is proper in this judicial district pursuant to 31 U.S.C. § 3733(j)(1) because MWW may be “found” in this District and also “transacts business” in this District. *See* Declaration of AUSA David V. Simunovich (“Simunovich Decl.”) ¶ 3.

4. The United States Attorney’s Office for the District of New Jersey is investigating whether MWW violated the False Claims Act 31 U.S.C. § 3729 *et seq.*, by claiming to be eligible for a loan that it obtained pursuant to the Paycheck Protection Program (“PPP”), a federal program authorized by Congress in response to the Covid-19 pandemic, and enacted pursuant to the CARES Act, Pub. L. No. 116-136 (March 27, 2020). *Id.* ¶ 4. More specifically, the U.S. Attorney’s Office is investigating whether MWW violated the False Claims Act by stating that it was not required to be registered under the Foreign Agents Registration Act of 1938, as amended (“FARA”), 22 U.S.C. § 611 *et seq.* *Id.* At the time MWW submitted its application, it was, in fact, registered under FARA; had MWW declared that it was FARA-registered, MWW would have been ineligible for the PPP loan. By certifying that it was not required to be FARA registered, MWW obtained a \$2 million PPP loan. *Id.* The investigation seeks to collect evidence sufficient to determine whether MWW’s certification concerning its FARA status amounts to a violation of the False Claims Act. *Id.*

5. In connection with the investigation described above, on or about June 22, 2023, a duly-authorized official at the U.S. Attorney's Office approved the CID. *Id.* ¶ 5 & Exhibit 1. The Office served MWW, through the company's counsel, on July 7, 2023. *Id.* ¶ 6.

6. The CID is narrowly tailored to address the core issues in the investigation. The CID identifies the single PPP loan at issue and is focused on whether MWW violated the False Claims Act by certifying that it was not required to be registered under FARA. Simunovich Decl., Exh. A. The CID required MWW to produce documents and to respond to interrogatories within 20 days of service. *Id.*

7. On July 14, 2023, MWW's counsel requested an extension of time to respond to the CID, moving the response date from July 27th to September 8th. *Id.* ¶ 8. The Government consented to the request. *Id.*

8. On August 25th, MWW's counsel requested additional time to respond to the CID, from September 8th to October 23rd. *Id.* ¶ 9. The Government agreed to the extension on the condition that MWW would provide responses to five document requests and seven interrogatories by September 8th. *Id.* MWW did not provide any documents or interrogatory responses by September 8th. *Id.*

9. On September 11th, the Government advised MWW that it was in material noncompliance with the CID and offered MWW the opportunity to cure the deficiency by September 22nd. *Id.* ¶ 10. To date, MWW has not produced any documents or answered any interrogatories set forth in the CID. *Id.* ¶ 11.

10. The records requested in the CID are essential to the proper conduct and completion of Government's legitimate law enforcement investigation. *Id.* ¶ 12. MWW's failure to respond to the CID has impeded, and continues to impede, the Government's investigation. *Id.*

11. Based on this Petition, the brief in support, and the accompanying declaration, the United States respectfully submits that it has established grounds to summarily enforce the CID.

**PRAYER FOR RELIEF**

WHEREFORE, the United States respectfully prays:

A. That the Court enter an order directing MWW to comply with the CID and each and every requirement within 20 days; and

B. That the Court grant the United States such other and further relief as is just and proper.

Dated: Newark, New Jersey  
September 28, 2023

Respectfully submitted,

VIKAS KHANNA<sup>2</sup>  
Attorney for the United States

By: /s/ David V. Simunovich  
DAVID V. SIMUNOVICH  
Assistant United States Attorney

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<sup>2</sup> Acting pursuant to authority conferred by 28 U.S.C. § 515.